

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HOLLYWOOD CITIZEN NEWS
OPERATING COMPANY, LLC, and
HOLLYWOOD CITIZEN NEWS F&B,
LLC,

Plaintiffs,

v.
TEN FIVE HOSPITALITY LLC, and DAN
DALEY,

Defendants.

CASE NO.: 2:23-cv-01126-APG-DJA

**JOINT STATUS REPORT ON STAY OF
PROCEEDINGS PENDING
SETTLEMENT**

AND

**STIPULATION AND ORDER TO
FURTHER STAY THESE
PROCEEDINGS**

DAN DALEY, TEN FIVE HOSPITALITY
LLC and 1545 F&B MANAGER LLC,

Counterclaim Plaintiffs,

v.

HOLLYWOOD CITIZEN NEWS
OPERATING COMPANY, LLC,
HOLLYWOOD CITIZEN NEWS F&B,
LLC, RELEVANT HOSPITALITY LLC, and
ZHAOXU CHEN a/k/a VINCENT CHEN,

Counterclaim Defendants.

Plaintiffs and Counterclaim Defendants Hollywood Citizen News Operating Company, LLC, Hollywood Citizen News F&B, LLC, Relevant Hospitality LLC, and Zhaoxu Chen a/k/a Vincent Chen, (collectively, the “HCN Parties”), and Defendants and Counterclaim Plaintiffs, Ten Five Hospitality LLC, 1545 F&B Manager LLC, and Dan Daley (collectively, the “Ten Five Parties,” and, together with the HCN Parties, the “Parties”), respectfully submit this Joint Status Report and Stipulation and Order to Further Stay These Proceedings, pursuant to the Court’s August 30, 2024 Order (ECF. No. 119):

1. As the Parties have previously reported, on January 31, 2024, after conducting an in-person mediation and engaging in further settlement discussions, the Parties reached agreement on a settlement in principle resolving all causes of action brought by the Parties in this litigation.

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1 2. The Parties also agreed that a stay of all proceedings in this action for a period of
2 thirty (30) days was necessary to enable the Parties to focus their efforts on preparing and executing
3 a binding, final settlement agreement that will dispose of this case in its entirety. *See* Dkt. No.
4 100.

5 3. The Court approved the Parties' requested stay. *See* ECF No. 101 (the "Stay
6 Order").

7 4. Thereafter, from March through June 2024, the Parties submitted additional Joint
8 Status Reports and Stipulations to further stay the proceedings, and reported that the Parties were
9 continuing to work diligently and in good faith to prepare the necessary documents to finally
10 resolve this matter, inclusive of a binding, final settlement agreement, and agreeing subject to the
11 Court's approval that the Parties would benefit from a continuation of the stay for an additional
12 thirty (30) days. *See* ECF Nos. 102 & 103 (the "Second Stipulation"); ECF Nos. 106 & 107 (the
13 "Third Stipulation"); ECF Nos. 112 & 113 (the "Fourth Stipulation"); and ECF Nos. 115 & 116
14 (the "Fifth Stipulation").

15 5. Among other updates, the Parties also reported in the Fourth Stipulation that they
16 were continuing to work diligently and in good faith to prepare the necessary documents to finally
17 resolve the claims in this action, as well as the claims in (A) a related action pending in Los Angeles
18 Superior Court captioned *Ten Five Hospitality LLC et al. v. Relevant Group LLC et al.*, No.
19 23STCV00738 (L.A.S.C.); (B) a related action pending in the federal district court for the Central
20 District of California, captioned *Ten Five Hospitality LLC, et al v. Hollywood Cahuenga*
21 *Restaurant LLC*, 2:23-cv-00957-SVW-RAO; and (C) five separate related proceedings before the
22 United States Patent and Trademark Office's Trademark Trial and Appeal Board, respectively
23 captioned (i) *Relevant Group LLC v. Ten Five Hospitality LLC*, Opposition No. 9128324; (ii)
24 *Relevant Group LLC v. Ten Five Hospitality LLC*, Opposition No. 91283339; (iii) *Relevant Group*
25 *LLC v. Ten Five Hospitality LLC*, Opposition No. 91287933; (iv) *Relevant Group LLC v. Ten Five*
26 *Hospitality LLC*, Opposition No. 91288503; and (vi) *Relevant Group LLC v. Ten Five Hospitality*
27 *LLC*, Opposition No. 91288999. In the Fifth Stipulation, the Parties also reported that they remain
28 in communication on a near-daily basis concerning settlement terms and have exchanged multiple

1 drafts of all documents contemplated to resolve their disputes across the litigations, including a
2 draft settlement agreement contemplated between nineteen (19) separate parties with fourteen (14)
3 exhibits, several of which are independent complex commercial agreements between subsets of
4 the parties to the contemplated settlement agreement.

5 6. During this period, the Court approved the Parties' Second, Third, Fourth, and Fifth
6 Stipulations and stayed the case. See ECF No. 104 (the "Second Stay Order"); ECF No. 108 (the
7 "Third Stay Order"); ECF No. 114 (the "Fourth Stay Order"); and ECF No. 17 (the "Fifth Stay
8 Order").

9 7. The Parties respectfully submit this Joint Status Report on Stay of Proceedings
10 Pending Settlement and Stipulation and Order to Further Stay These Proceedings to update the
11 Court that they have reached material agreement on all terms necessary to resolve this litigation.
12 The parties anticipate finalizing and executing their global settlement agreement, and the
13 additional documents described above and necessary to effectuate that settlement agreement, in
14 the next one to two weeks.

15 8. In light of the foregoing, the Parties would benefit from a continuation of the stay
16 for an additional thirty (30) days.

17 9. Accordingly, the Parties stipulate and agree, subject to the Court's approval, that
18 within thirty days following entry of the Court's order approving this stipulation and continuing
19 the stay of these proceedings, the Parties shall file a notice of settlement or, if the final settlement
20 agreement has not been executed, a further joint status report.

21 10. No party will be prejudiced by the relief requested herein, and the Parties agree that
22 good cause exists for the foregoing relief as it is in the best interests of judicial efficiency and
23 preservation of judicial and party resources.

24 11. The Parties agree that nothing herein shall act as a waiver or alter the position of
25 any party to this action.

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1 THEREFORE, the Parties respectfully request that the stay of this action be continued for
2 an additional period of thirty (30) days from the entry of the Court's order approving this
3 stipulation.

4 **IT IS SO STIPULATED.**

5 Dated this 13th day of September 2024.

Dated this 13th day of September 2024.

6 GARMAN TURNER GORDON LLP

SNELL & WILMER L.L.P.

7 /s/ Dykan T. Ciciliano

/s/ V.R. Bohman

8 Dylan T. Ciciliano
9 Nevada Bar No. 12348
10 7251 Amigo Street, Suite 210
11 Las Vegas, Nevada 89119
12 Tel: (725) 777-3000
13 Fax: (725) 777-3112

V.R. Bohman
Nevada Bar No. 13075
Erin M. Gettel
Nevada Bar No. 13877
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, NV 89169
Tel: (702) 784-5200
Fax: (702) 784-5252

12 -and-

-and-

13 KASOWITZ BENSON TORRES LLP

14 Donald J. Reinhard (*pro hac vice*)
15 1633 Broadway
16 New York, New York 10019
17 Tel: (212) 506-1700
18 Fax: (212) 506-1800

PRYOR CASHMAN LLP
Todd E. Soloway (*pro hac vice*)
Dyan Finguerra-DuCharme (*pro hac vice*)
Ross M. Bagley (*pro hac vice*)
Nicholas G. Saady (*pro hac vice*)
7 Times Square
New York, New York 10036-6569
Tel: (212) 421-4100
Fax: (212)-798-6306

17 Attorneys for Plaintiffs

Attorneys for Defendants

21 **ORDER**

22 IT IS SO ORDERED.

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25 UNITED STATES JUDGE
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